

1-1 By: Duncan S.B. No. 1457
1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 4, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 4, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1457 By: Garcia

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to management services for the physical facilities of the
1-20 Texas School for the Blind and Visually Impaired and the Texas
1-21 School for the Deaf.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 30.022, Education Code, is amended by
1-24 amending Subsection (h) and adding Subsection (h-1) to read as
1-25 follows:

1-26 (h) Except as provided by Subsection (h-1), the [The] board
1-27 has [exclusive] jurisdiction over the physical assets of the school
1-28 and shall administer and spend appropriations made for the benefit
1-29 of the school.

1-30 (h-1) The Texas Facilities Commission shall provide
1-31 facilities maintenance services for the physical facilities of the
1-32 school, including facilities construction, cabling, facility
1-33 reconfiguration, and any other services as provided by a memorandum
1-34 of understanding between the board and the Texas Facilities
1-35 Commission.

1-36 SECTION 2. Section 30.052, Education Code, is amended by
1-37 amending Subsection (h) and adding Subsection (h-1) to read as
1-38 follows:

1-39 (h) Except as provided by Subsection (h-1), the [The] board
1-40 has [exclusive] jurisdiction over the physical assets of the school
1-41 and shall administer and spend appropriations to carry out the
1-42 purposes of the school as provided by Section 30.051.

1-43 (h-1) The Texas Facilities Commission shall provide
1-44 facilities maintenance services for the physical facilities of the
1-45 school, including facilities construction, cabling, facility
1-46 reconfiguration, and any other services as provided by a memorandum
1-47 of understanding between the board and the Texas Facilities
1-48 Commission.

1-49 SECTION 3. Subsection (b), Section 2165.007, Government
1-50 Code, is amended to read as follows:

1-51 (b) Notwithstanding any other law, the commission shall
1-52 provide facilities management services in relation to all state
1-53 agency facilities in Travis County or a county adjacent to Travis
1-54 County. The commission's duty does not apply to:

1-55 (1) a facility owned or operated by an institution of
1-56 higher education;

1-57 (2) military facilities;

1-58 (3) facilities owned or operated by the Texas
1-59 Department of Criminal Justice;

1-60 (4) facilities owned or operated by the Texas Juvenile

2-1 Justice Department [~~Youth Commission~~];
2-2 (5) facilities owned or operated by the Texas
2-3 Department of Transportation;
2-4 (6) the Capitol, including the Capitol Extension, the
2-5 General Land Office building, the Bob Bullock Texas State History
2-6 Museum, any museum located on the Capitol grounds, the Governor's
2-7 Mansion, and any property maintained by the Texas Historical
2-8 Commission under Sections 442.0072 and 442.0073;
2-9 (7) a facility determined by the commission to be
2-10 completely residential;
2-11 (8) a regional or field office of a state agency;
2-12 (9) a facility located within or on state park
2-13 property;
2-14 (10) the property known as the Finance Commission
2-15 Building described by deed recorded in Volume 5080, Page 1099, of
2-16 the Deed Records of Travis County, Texas; [~~or~~]
2-17 (11) the property known as the Credit Union Department
2-18 Building described by deed recorded in Volume 6126, Page 27, of the
2-19 Deed Records of Travis County, Texas;
2-20 (12) facilities owned or operated by the Texas School
2-21 for the Blind and Visually Impaired; or
2-22 (13) facilities owned or operated by the Texas School
2-23 for the Deaf.
2-24 SECTION 4. (a) Not later than January 1, 2014, the
2-25 following are transferred from the Texas School for the Blind and
2-26 Visually Impaired to the Texas Facilities Commission:
2-27 (1) the powers, duties, functions, programs, and
2-28 activities of the Texas School for the Blind and Visually Impaired
2-29 relating to the maintenance of the school's physical facilities;
2-30 (2) any obligations and contracts of the Texas School
2-31 for the Blind and Visually Impaired that are directly related to
2-32 implementing a power, duty, function, program, or activity
2-33 transferred under this subsection; and
2-34 (3) all property and records in the custody of the
2-35 Texas School for the Blind and Visually Impaired that are related to
2-36 a power, duty, function, program, or activity transferred under
2-37 this subsection and all funds appropriated by the legislature for
2-38 that power, duty, function, program, or activity.
2-39 (b) The Texas Facilities Commission and the Texas School for
2-40 the Blind and Visually Impaired shall enter into a memorandum of
2-41 understanding as provided by Subsection (h-1), Section 30.022,
2-42 Education Code, as added by this Act, that:
2-43 (1) identifies in detail the applicable powers and
2-44 duties that are transferred between the two agencies by this Act;
2-45 and
2-46 (2) establishes a plan for the identification and
2-47 transfer of the records, personnel, property, and unspent
2-48 appropriations of the Texas School for the Blind and Visually
2-49 Impaired that are used for purposes of the commission's powers and
2-50 duties directly related to the maintenance of the school's physical
2-51 facilities under Section 30.022, Education Code.
2-52 SECTION 5. (a) Not later than January 1, 2014, the
2-53 following are transferred from the Texas School for the Deaf to the
2-54 Texas Facilities Commission:
2-55 (1) the powers, duties, functions, programs, and
2-56 activities of the Texas School for the Deaf relating to the
2-57 maintenance of the school's physical facilities;
2-58 (2) any obligations and contracts of the Texas School
2-59 for the Deaf that are directly related to implementing a power,
2-60 duty, function, program, or activity transferred under this
2-61 subsection; and
2-62 (3) all property and records in the custody of the
2-63 Texas School for the Deaf that are related to a power, duty,
2-64 function, program, or activity transferred under this subsection
2-65 and all funds appropriated by the legislature for that power, duty,
2-66 function, program, or activity.
2-67 (b) The Texas Facilities Commission and the Texas School for
2-68 the Deaf shall enter into a memorandum of understanding as provided
2-69 by Subsection (h-1), Section 30.052, Education Code, as added by

3-1 this Act, that:
3-2 (1) identifies in detail the applicable powers and
3-3 duties that are transferred between the two agencies by this Act;
3-4 and
3-5 (2) establishes a plan for the identification and
3-6 transfer of the records, personnel, property, and unspent
3-7 appropriations of the Texas School for the Deaf that are used for
3-8 purposes of the commission's powers and duties directly related to
3-9 the maintenance of the school's physical facilities under Section
3-10 30.052, Education Code.
3-11 SECTION 6. This Act takes effect September 1, 2013.

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